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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE
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8 TERRI BROOKS-JOSEPH,

NO.

9 Plaintiff,
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11 vs.
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13 CITY OF SEATTLE, SEATTLE
CITY LIGHT, LOURDES
PODWALL and JOHN DOE
PODWALL and the marital
community composed thereof,
14 SUSAN DAVIDSON and JOHN
DOE DAVIDSON and the marital
community composed thereof,
15 BRITT LUZZI and JOHN DOE
LUZZI and the marital community
composed thereof, SHARON
HUNTER and JOHN DOE
HUNTER and the marital
community composed thereof,
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21 Defendants.
22
23

COMPLAINT FOR DAMAGES

- 1. RACIAL DISCRIMINATION
AND HARASSMENT UNDER
TITLE VII OF THE 1964 CIVIL
RIGHTS ACT, AS AMENDED**
- 2. RACIAL DISCRIMINATION
AND HARASSMENT UNDER
RCW 49.60**
- 3. GENDER DISCRIMINATION
AND HARASSMENT UNDER
TITLE VII OF THE 1964 CIVIL
RIGHTS ACT, AS AMENDED**
- 4. GENDER DISCRIMINATION
AND HARASSMENT UNDER
RCW 49.60 et seq.**
- 5. VIOLATION OF
WASHINGTON STATE
WHISTLEBLOWER
PROTECTION ACT, RCW 42.42
and SEATTLE MUNICIPAL
CODE 4.20.860 1514**

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6. AGE DISCRIMINATION IN
VIOLATION OF RCW 49.60 et
seq.
7. AGE DISCRIMINATION IN
VIOLATION OF THE AGE
DISCRIMINATION IN
EMPLOYMENT ACT OF 1967
8. NEGLIGENT SUPERVISION
AND NEGLIGENT
RETENTION
9. WRONGFUL DISCHARGE
DEMAND FOR JURY TRIAL
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COMES NOW the above-named Plaintiff, TERRI BROOKS-JOSEPH, by and through her attorney, Vicky J Currie, and hereby alleges the following:

NATURE OF THE CASE

1. Plaintiff alleges this case involves discrimination based on age, gender, race and racial harassment by employees, staff and faculty of Defendants CITY OF SEATTLE and SEATTLE CITY LIGHT,

2. Plaintiff further alleges the Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT, LOURDES PODWALL, SUSAN DAVIDSON, SHARON HUNTER and BRITT LUZZI, violated Title VII of the Federal Civil Rights Act of 1964 and The Washington Law Against Discrimination (WLAD) RCW 49.60 et seq. by discriminating against the Plaintiff based upon her race.

3. Plaintiff further alleges the Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT, LOURDES PODWALL, SUSAN DAVIDSON, SHARON HUNTER and BRITT LUZZI, violated Title VII of the Federal Civil Rights Act of 1964 and The Washington Law

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Against Discrimination (WLAD) RCW 49.60 et seq. by discriminating against the Plaintiff based upon her gender.

4. Plaintiff further alleges the Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT, LOURDES PODWALL, SUSAN DAVIDSON, SHARON HUNTER and BRITT LUZZI, violated the Age Discrimination and Employment Act of 1967 codified at 29 U.S.C. § 621 through 634 and The Washington Law Against Discrimination (WLAD) RCW 49.60 et seq. by discriminating against the Plaintiff based upon her age.

5. Plaintiff further alleges the Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT, LOURDES PODWALL, SUSAN DAVIDSON, SHARON HUNTER and BRITT LUZZI, violated Title VII of the Civil Rights act of 1964 (42 U.S.C. § 21), Washington State Whistleblower Protections under RCW 42.41.040 and Seattle Municipal Code 4.20.860.

6. Plaintiff further alleges that the DEFENDANT CITY OF SEATTLE AND SEATTLE CITY LIGHT violated Federal and Washington State Law in regard to Negligent Supervision and Retention.

7. Plaintiff further alleges that the DEFENDANT CITY OF SEATTLE AND SEATTLE CITY LIGHT, LOURDES PODWALL, SUSAN DAVIDSON, SHARON HUNTER and BRITT LUZZI, violated Federal and Washington State Law in regard to Wrongful Discharge.

8. Plaintiff asserts claims under state and federal anti-discrimination and civil rights laws.

9. Plaintiff seeks, *inter alia*, compensatory damages for emotional distress and lost wages.

Plaintiff also seeks punitive damages based on the Defendants' intentional conduct, including a continuous pattern and practice of racial discrimination.

JURISDICTION AND VENUE

10. Jurisdiction is proper pursuant to 28 U.S.C. § 1331 based upon a federal question
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1 under the laws of the United States. Specifically, this Court has jurisdiction over Plaintiff's claims
2 under 42 U.S.C. §1981 and Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §
3 2000e *et seq.*

4 11. Supplemental jurisdiction exists pursuant to 28 U.S.C. § 1337(a) and 42 U.S.C. §
5 1398 for state claims alleged herein.
6

7 12. All or a substantial portion of the unlawful acts alleged herein took place in King
8 County, Washington and within this judicial district.
9

10 13. Venue is proper under 28 U.S.C. § 1331(b)(1) and (2); and 42 U.S.C. § 2000e-5(f)(3).

STATUTORY PREREQUISITES

11 Plaintiff filed a charge against the Defendants with the Equal Employment Opportunity
12 Commission (EEOC) on April 27, 2022. The EEOC issued a notice of Right to Sue for the Plaintiff
13 on May 2, 2022. Plaintiff filed this action within 90 days of her receipt of the notice of the Right
14 to Sue letter.
15

PARTIES

16 Plaintiff was an employee of the Defendant CITY OF SEATTLE AND SEATTLE CITY
17 LIGHT, from approximately October 2019 to July 2021. She is of African American descent and
18 above the age of Fifty-Five.
19

20 At all times materials hereto, Plaintiff was and are persons entitled to protection under Title
21 VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.*; Washington's Law
22 Against Discrimination, RCW § 49.60.010 *et seq.*; 42 U.S.C. § 1981; and the common law of the
23 State of Washington.
24

25 Defendant CITY OF SEATTLE AND SEATTLE CITY LIGHT, is a for-profit corporation
26 organized under the laws of the State of Washington. On information and belief, Defendant CITY
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1 OF SEATTLE AND SEATTLE CITY LIGHT does business in King County, Washington.

2 Defendant CITY OF SEATTLE AND SEATTLE CITY LIGHT has at all relevant times
3 been an employer as defined by 42 U.S.C. § 2000e(b), in that it employs fifteen (15) or more
4 persons in each of twenty (20) or more calendar weeks in the current or preceding year, and an
5 employer under R.C.W. 49.60.040, in that it employs eight (8) or more persons.
6

7 On information and belief, Defendant LOURDES PODWALL resides in Western
8 Washington, within this judicial district.
9

10 Defendant LOURDES PODWALL is now, and has been at all times relevant to this action,
11 an employee of Defendant CITY OF SEATTLE AND SEATTLE CITY LIGHT.
12

13 Defendant SUSAN DAVIDSON is now, and has been at all times relevant to this action, an
14 employee of Defendant CITY OF SEATTLE AND SEATTLE CITY LIGHT.
15

16 Defendant SHARON HUNTER is now, and has been at all times relevant to this action, an employee
17 of Defendant CITY OF SEATTLE AND SEATTLE CITY LIGHT.
18

19 Plaintiff is informed and believes, and based thereon allege that at all times mentioned herein
20 Defendants aided, encouraged and incited others, including Defendants and employees of
21 Defendant CITY OF SEATTLE AND SEATTLE CITY LIGHT to engage in acts of discrimination
22 against the Plaintiff.
23

24 Defendant CITY OF SEATTLE AND SEATTLE CITY LIGHT, the corporations and business
25 entities comprising said group as alleged above, and Defendants LU PODWALL, SUSAN
26 DAVIDSON, SHARON HUNTER and BRITT LUZZI, are hereinafter collectively referred to as
27 “Defendants.” Unless specified otherwise, whenever this Complaint refers to “Defendant” or
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1 "Defendants," such allegation shall be deemed to mean the acts of Defendants acting individually,
 2 jointly and/or severally as so designated.

3 Plaintiff is informed and believes, and based thereon alleges, that at all times mentioned
 4 herein, each of the Defendants were the agents, servants and employees; co-venturers and co-
 5 conspirators of each of the remaining Defendants, and was acting within the course, scope, and
 6 purpose of his or her employment with the consent, knowledge, ratification and authorization of
 7 such agency, employment, joint venture and conspiracy.

8

ALLEGATIONS RELEVANT TO ALL CAUSES OF ACTION

9

10 Plaintiff alleges the following:

11 In October of 2019, Plaintiff was hired as a full-time employee with CITY OF SEATTLE
 12 AND SEATTLE CITY LIGHT as an IT Business Analyst. When the Plaintiff was hired, she
 13 uprooted her and her son's lives in Atlanta, Georgia to move to the Pacific Northwest. Plaintiff
 14 was a valued employee responsible for her work as Interim Project Lead on the Fusion Project, as
 15 well as her work in other areas of the Seattle Information Technology Department, Seattle Public
 16 Utilities Department, and Seattle City Light. Plaintiff was optimistic and encouraged about her
 17 employment and prospects for her future with the City of Seattle.

18

20 However, in July 2020 the Plaintiff began to experience discrimination from her superiors at
 21 the City of Seattle. The Plaintiff was working as Interim Team Lead on the OCM Project when
 22 she was suddenly removed by her supervisor Lourdes Podwall. When the Plaintiff inquired as to
 23 why she was being removed Defendant Podwall stated, "You cannot be the face of the City's
 24 work." Defendant Podwall went on to demand that Plaintiff relinquish all of the work that
 25 Plaintiff created to Defendant Podwall and the new project lead, Nick Cherf, who would be
 26 replacing the Plaintiff.

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1 Plaintiff was shocked by Defendant Podwall's statement and was embarrassed and
2 humiliated at her treatment after all of her hard work. The new project lead was much younger,
3 did not have the years of experience the Plaintiff did, was male and white.
4

5 After Plaintiff was removed from the project, the employees of Seattle City Light struggled
6 to continue with the project. As a result, Plaintiff's supervisor Susan Davidson demanded that the
7 Plaintiff complete the work for the team without compensation or promotion. Even though the
8 Plaintiff had been removed from the project, Defendant Davidson went on to state that the
9 Plaintiff need to prove her value on the project.

10 At a June 18, 2020 meeting, the Plaintiff overheard coworkers gossiping and insulting
11 another member of the team in front of a client. During a follow up meeting to discuss the event
12 of June 18, 2020, Plaintiff stated that the employee's gossip and insults at the June 18, 2020
13 meeting were unprofessional and embarrassing to the City. Incredibly, instead of thanking the
14 Plaintiff for adhering to the standards of professional conduct, the Defendant Davidson stated
15 that her comments directed towards the gossiping employees were "hostile to her peers."
16

17 Plaintiff was shocked by Defendant Davidson's behavior. Plaintiff was not hostile, did not
18 yell, did not insult and only pointed out that the gossiping employees conduct was
19 unprofessional. Instead of focusing on the unprofessional conduct by the gossiping employees,
20 Defendant Davidson went out of her way to criticize the Plaintiff. Plaintiff again felt insulted and
21 humiliated. Though she persistently adhered to all professional standards, continued to work hard
22 for the City without credit, and constantly went above and beyond her duties, she was still
23 targeted and reprimanded for non-existent slights.

24 After the meeting, Plaintiff overheard one of the gossiping employees mutter, "I don't take
25 orders from black people." After the conclusion of this meeting the Plaintiff was ostracized from
26

1 other employees. She was repeatedly left out of meetings and when she complained was told it
 2 was just an oversight. Plaintiff continue to feel humiliated and insulted as her treatment
 3 worsened by the City of Seattle and its agents.
 4

5 While working in the City of Seattle's IT Department, supervisor Signe Olausen wanted to
 6 promote the Plaintiff to Senior Business Analyst. Unfortunately, this promotion was blocked by
 7 Defendant Sharon Hunter. Plaintiff alleges Defendant Hunter blocked Plaintiffs' promotion due
 8 to her race and age. Plaintiff alleges instead of even considering the Plaintiff by allowing an
 9 interview, Defendant Hunter asked Signe Olausen to place something negative in her
 10 employment file in order to block any advancement. After this incident, Plaintiff alleges
 11 Defendant Hunter tampered with the Plaintiff's work in an effort to sabotage her employment
 12 and any potential advancement.

13 Plaintiff alleges that she was blocked from applying and interviewing for advanced positions
 14 within the City of Seattle by Defendants Lu Podwall and Britt Luzzi.
 15

16 On two occasions Plaintiff found technical issues that were abusing taxpayer funding. On one
 17 occasion, Plaintiff discovered that Defendant Seattle City Light has an issue with its meters. The
 18 Plaintiff alleges that approximately 460,000 Seattle City Light customers were over-billed for
 19 nearly six years. Plaintiff reported this information to her superiors and to Human Resources
 20 who in turn told Plaintiff she was in a protected status as a whistleblower.

21 However, despite Plaintiff's whistleblower status, the City of Seattle fired her without cause
 22 in July 2021, shortly after her whistleblower complaint.
 23

24 While employed at CITY OF SEATTLE AND SEATTLE CITY LIGHT, the Plaintiff was
 25 unquestionably subjected to verbal, behavioral and environmental indignities. Excessive
 26 scrutinization and defamation of character by certain faculty members directly and drastically
 27

affected the Plaintiff's employment with CITY OF SEATTLE AND SEATTLE CITY LIGHT.

FIRST CAUSE OF ACTION

**DISCRIMINATION AND HARASSMENT BECAUSE OF RACE IN VIOLATION
OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED
42 U.S.C. § 2000e *ET SEQ.***

Plaintiff realleges the foregoing paragraphs with the same force and effect and incorporates the same as though fully set forth herein.

1. Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT and their employees subjected Plaintiff to disparate, different, and worse treatment than similarly-situated non-African American employees of the Defendants, as referenced above, because of her race.

2. The above-referenced discrimination and harassment happened because of race, were unwelcome to Plaintiff, and were sufficiently severe or pervasive to alter the terms and conditions of Plaintiff's employment, constituting a hostile work environment.

3. Employees of Defendant CITY OF SEATTLE AND SEATTLE CITY LIGHT and DEFENDANTS, each had direct or chain of command supervisory authority over Plaintiff, and participated in and/or created the above-referenced hostile work environment.

4. Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT and DEFENDANTS had actual, constructive, and or imputed notice and knowledge of the above-referenced discrimination and harassment but failed to take prompt and effective remedial action reasonably calculated to stop the discrimination and harassment and prevent its future occurrence.

5. As a direct and proximate result of the discrimination and hostile work environment referred to above, Plaintiff has suffered and will continue to suffer damages including, but not limited to, loss of job opportunities, earnings and employment benefits, as well as physical, emotional, and mental distress.

SECOND CAUSE OF ACTION

**RACE DISCRIMINATION AND RACIAL HARASSMENT
IN VIOLATION OF THE WASHINGTON LAW AGAINST DISCRIMINATION,
RCW Chapter 49.60
(Against all Defendants)**

Plaintiff realleges the foregoing paragraphs with the same force and effect and incorporates the same as though fully set forth herein.

6. Plaintiff alleges that in violation of RCW Chapter 49.60, Plaintiffs race and/or opposition activity, separately and/or in combination, was a substantial factor in the above-referenced adverse and tangible employment actions and hostile work environment.

7. As a direct and proximate result of the discrimination, retaliation, harassment, and hostile work environment referred to above, Plaintiff has suffered and will continue to suffer damages including, but not limited to, loss of job opportunities, earnings and employment benefits, as well as physical, emotional, and mental distress.

THIRD CAUSE OF ACTION

**DISCRIMINATION AND HARASSMENT BECAUSE OF SEX/GENDER IN VIOLATION
OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED
42 U.S.C. § 2000e ET SEQ.**

Plaintiff realleges the foregoing paragraphs with the same force and effect and incorporates the same as though fully set forth herein.

1. Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT and their employees subjected Plaintiff to disparate, different, and worse treatment than similarly-situated male employees of the Defendants, as referenced above, because of her sex and gender.

2. The above-referenced discrimination and harassment happened because of sex and gender, were unwelcome to Plaintiff, and were sufficiently severe or pervasive to alter the terms and conditions of Plaintiff's employment, constituting a hostile work environment.

3. Employees of Defendant CITY OF SEATTLE AND SEATTLE CITY LIGHT and other Defendants, each had direct or chain of command supervisory authority over Plaintiff, and participated in and/or created the above-referenced hostile work environment.

4. Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT and other Defendants had actual, constructive, and or imputed notice and knowledge of the above-referenced discrimination and harassment but failed to take prompt and effective remedial action reasonably calculated to stop the discrimination and harassment and prevent its future occurrence.

5. As a direct and proximate result of the discrimination and hostile work environment referred to above, Plaintiff has suffered and will continue to suffer damages including, but not limited to, loss of job opportunities, earnings and employment benefits, as well as physical, emotional, and mental distress.

FOURTH CAUSE OF ACTION

**SEX and GENDER DISCRIMINATION AND HARASSMENT
IN VIOLATION OF THE WASHINGTON LAW AGAINST DISCRIMINATION,
RCW Chapter 49.60
(Against all Defendants)**

Plaintiff realleges the foregoing paragraphs with the same force and effect and incorporates the same as though fully set forth herein.

1. Plaintiff alleges that in violation of RCW Chapter 49.60, Plaintiff's sex and gender and/or opposition activity, separately and/or in combination, was a substantial factor in the above-referenced adverse and tangible employment actions and hostile work environment.

2. As a direct and proximate result of the discrimination, retaliation, harassment, and hostile work environment referred to above, Plaintiff has suffered and will continue to suffer damages

1 including, but not limited to, loss of job opportunities, earnings and employment benefits, as well
2 as physical, emotional, and mental distress.

3 **FIFTH CAUSE OF ACTION**

4 **VIOLATION OF WASHINGTON STATE WHISTLEBLOWER ACT RCW 42.42 et seq. and**
5 **SEATTLE MUNICIPAL CODE 4.20.860**

6 Plaintiff realleges the foregoing paragraphs and incorporates them herein by this reference
7 as if fully set forth herein.

8 1. Plaintiff alleges that in violation of RCW Chapter 42.42 and Seattle Municipal Code,
9 Plaintiff was terminated for reporting the overbilling of approximately 460,000 Seattle City Light
10 customers for nearly six years. Soon after making this report the Plaintiff was fired from her
11 position.

12 2. As a direct and proximate result of the whistleblower retaliation referred to above,
13 Plaintiff has suffered and will continue to suffer damages including, but not limited to, loss of job
14 opportunities, earnings and employment benefits, as well as physical, emotional, and mental
15 distress.

16 **SIXTH CAUSE OF ACTION**

17 **VIOLATION OF THE AGE DISCRIMINATION IN EMPLOYMENT ACT (ADEA)**
18 **29 U.S.C. § 421 et seq.**

20 Plaintiff realleges the foregoing paragraphs with the same force and effect and incorporates
21 the same as though fully set forth herein.

22 1. Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT and their employees
23 subjected Plaintiff to disparate, different, and worse treatment than similarly-situated employees
24 who were younger than the Plaintiff.

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2. The above-referenced discrimination and harassment happened because of Plaintiff's age and were unwelcome to Plaintiff, and were sufficiently severe or pervasive to alter the terms and conditions of Plaintiff's employment, constituting a hostile work environment.

3. Employees of Defendant CITY OF SEATTLE AND SEATTLE CITY LIGHT and other Defendants, each had direct or chain of command supervisory authority over Plaintiff, and participated in and/or created the above-referenced hostile work environment.

4. Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT and other Defendants had actual, constructive, and or imputed notice and knowledge of the above-referenced discrimination and harassment but failed to take prompt and effective remedial action reasonably calculated to stop the discrimination and harassment and prevent its future occurrence.

5. As a direct and proximate result of the discrimination and hostile work environment referred to above, Plaintiff has suffered and will continue to suffer damages including, but not limited to, loss of job opportunities, earnings and employment benefits, as well as physical, emotional, and mental distress.

SEVENTH CAUSE OF ACTION

**VIOLATION OF WASHINGTON STATE LAW AGAINST AGE DISCRIMINATION
RCW 49.60 et seq.**

Plaintiff realleges the foregoing paragraphs and incorporates them herein by this reference as if fully set forth herein.

1. Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT and their employees subjected Plaintiff to disparate, different, and worse treatment than similarly-situated employees who were younger than the Plaintiff.

2. As a direct and proximate result of the whistleblower retaliation referred to above, Plaintiff has suffered and will continue to suffer damages including, but not limited to, loss of job

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1 opportunities, earnings and employment benefits, as well as physical, emotional, and mental
2 distress.

3
4 **EIGHTH CAUSE OF ACTION**

5 **NEGLIGENT RETENTION AND SUPERVISION**

6 As her employer, Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT owed
7 and breached duties to Plaintiff including, but not limited to: 1) the duty not to employ or retain
8 employees whom it knows or should know to be unfit or dangerous, 2) the duty to exercise care
9 appropriate to the circumstances in supervising and/or retaining employees, 3) the duty to exercise
10 due diligence to determine whether an employee is or has become unfit or dangerous.

11 1. Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT failed to exercise care
12 appropriate to the circumstances in retaining its employees who subjected Plaintiff to racial
13 harassment, gender discrimination and age discrimination.

14 2. Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT had actual,
15 constructive and/or imputed notice and knowledge of the unfitness of white employees who have
16 subjected Plaintiff to repeated racial harassment, gender discrimination, and age discrimination.

17 3. Such notice and knowledge made foreseeable the injuries these white employees
18 inflicted upon the Plaintiff.

19 4. Despite such notice and knowledge, Defendants failed to exercise ordinary care to
20 discipline the employees.

21 5. At all times materials herein, Defendants CITY OF SEATTLE AND SEATTLE CITY
22 CITY LIGHT had the power, ability, authority, and duty to so intervene, monitor, review, evaluate,

1 control, regulate, discipline, restrict, and/or penalize the conduct of themselves, their agents, and
2 employees.

3 6. Despite said knowledge, power, and duty, Defendants CITY OF SEATTLE AND
4 SEATTLE CITY LIGHT negligently failed to act so as to prevent, supervise, monitor, review,
5 evaluate, control, regulate, discipline, and/or penalize such conduct, acts, and failures to act or to
6 otherwise protect Plaintiff.
7

8 7. Plaintiff is informed and believes, and based thereon alleges, that CITY OF SEATTLE
9 AND SEATTLE CITY LIGHT is legally responsible in some manner for the events, incidents,
10 and happenings described herein, and caused injury and damage to Plaintiff.

11 8. As a direct and proximate result of the failure of Defendants CITY OF SEATTLE AND
12 SEATTLE CITY LIGHT to protect Plaintiff and to adequately monitor, review, evaluate, control,
13 regulate, discipline, and/or otherwise penalize the conduct, acts, and failures to act by Defendants
14 themselves, their agents, and employees, as alleged herein, said conduct, acts, and failures to act
15 were perceived by said Defendants, its agent, and employees as, and in fact had the effect of,
16 ratifying, encouraging, condoning, exacerbating, increasing, and/or worsening said conduct, acts,
17 and failures to act, thereby causing reasonably foreseeable injury.
18

19 9. Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT are responsible for the
20 acts of their employees alleged herein.

21 10. Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT failure to exercise
22 ordinary care breached the above-referenced duties of care, proximately causing the injury and
23 damages to Plaintiff referenced herein.
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11. As a direct and proximate result of Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT breach of the duties owed to Plaintiff, Plaintiff suffered substantial emotional injuries in an amount to be proven at trial.

12. As a further direct and proximate result of Defendants CITY OF SEATTLE AND SEATTLE CITY LIGHT actions and omissions, Plaintiff has suffered and will continue to suffer mental anguish and severe emotional distress.

NINTH CAUSE OF ACTION

WRONGFUL DISCHARGE

21. Plaintiff realleges the foregoing paragraphs and incorporates them herein by this reference as if fully set forth herein.

22. "An employee discharged for whistleblowing has a statutory claim for wrongful discharge. Gardner, 128 Wn.2d at 937. The Legislature established this tort when it enacted the Washington Industrial Safety and Health Act (WISHA):

An employee discharged for whistleblowing has a statutory claim for wrongful discharge.
“Young v. Ferrellgas, L.P., 106 Wn. App. 524, 528 (2001) citing Gardner v. Loomis Armored, Inc.
128 Wn.2d 931, 937 (1996).

23. The complaint filed by the Plaintiff in April 2021 to the State Auditor's Office against CITY OF SEATTLE and SEATTLE CITY LIGHT constitutes whistleblowing.

24. The Plaintiff's whistleblowing was a substantial factor in CITY OF SEATTLE AND SEATTLE CITY LIGHTS decision to terminate her given the proximity in time to filing the complaint and her termination.

CITY OF SEATTLE AND SEATTLE CITY LIGHTS termination of the Plaintiff has caused damages in an amount to be proven at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered in her favor and against all Defendants as available under law and as follows:

1. General damages for emotional distress in an amount to be proven at the time of trial.
 2. Special damages for medical treatment, including psychological counseling, if appropriate.
 3. Actual damages under RCW 49.60, *et seq.*
 4. Lost wages/back pay in an amount to be proven at the time of trial.
 5. Prejudgment interest in an amount to be proven at the time of trial.
 6. Lost fringe benefits in an amount to be proven at the time of trial.
 7. Punitive damages in an amount to be proven at the time of trial.
 8. Reasonable attorney's fees and costs of suit.
 9. For whatever further and additional relief the court shall deem to be just and equitable.

JURY DEMAND

Plaintiff hereby demands a trial by jury.

DATED this 31st day of July 2022.

Law Office of VICKY J CURRIE

By: Vicky J. Currie
VICKY J CURRIE, WSBA #24192
Attorney for Plaintiff

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